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4	FILEDENTERED
5	OCT 1 4 2008
6	AT SEATTLE OR-CV-00234-ORD  CLERK U.S. DISTRICT COURT  WESTERN DISTRICT OF WASHINGTON DEPUTY
7	BA
8	UNITED STATES DISTRICT COURT
9	WESTERN DISTRICT OF WASHINGTON AT SEATTLE
10	ROBERT H. SMITH,
11	) Plaintiff, ) CASE NO. C08-234-JLR-JPD
12	v. )
13	SNOHOMISH COUNTY, ) ORDER GRANTING DEFENDANT'S
14 15	) MOTION FOR SUMMARY JUDGMENT Defendants. )
16	The Court, having reviewed plaintiff's amended civil rights complaint, defendant's motion for
17	summary judgment, the Report and Recommendation of the Honorable James P. Donohue, United
18	States Magistrate Judge, and the balance of the record, does hereby find and ORDER:
19	(1) The Court adopts the Report and Recommendation.
20	(2) Defendant's motion for summary judgment (Dkt. No. 23) is GRANTED. Plaintiff's
21	amended complaint (Dkt. No. 7) and this action are DISMISSED, with prejudice,
22	pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).
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24	
25	ORDER GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
26	PAGE - 1

(3) The Clerk is directed to count this as a dismissal under 28 U.S.C. § 1915(g), and to send copies of this Order to plaintiff, to counsel for defendants, and to the Honorable James P. Donohue.

DATED this 14th day of October , 2008.

JAMES L. ROBART United States District Judge

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